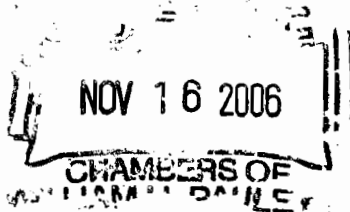


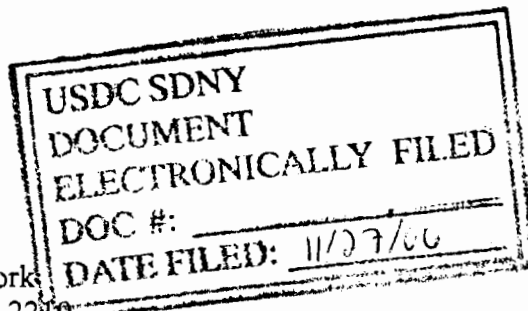
## JENNER &amp; BLOCK

November 16, 2006

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Hon. William H. Pauley III  
United States District Court  
Southern District of New York  
500 Pearl Street - Chambers 2210  
New York, NY 10007

Re: *McNeil et al. v. Perrigo, et al.* - 05 CV 1321 (WHP)

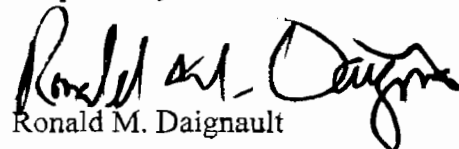
Dear Judge Pauley:

In accordance with the Court's Individual Practices, Plaintiffs McNeil-PPC, Inc., Merck & Co., Inc., and Johnson & Johnson Merck Consumer Pharmaceuticals Co. respectfully request the Court to grant a one-page enlargement for their Reply Memorandum in Support of Plaintiffs' Motion for Summary Judgment on Defendants' Inequitable Conduct and Related Invalidity Defenses. Defendants' counsel has consented to this request.

Plaintiffs' summary-judgment motion addresses all five of Defendants' inequitable conduct defenses and related invalidity defenses. Plaintiffs have attempted to meet the ten page limitation to address the various arguments raised in Defendants' Opposition Memorandum. Though Plaintiffs have managed to revise and edit their Reply Memorandum to reduce its page length, Plaintiffs believe that any further edits to reduce the Reply to below ten pages will compromise the quality of their Reply, and their ability to address competently all of Defendants' arguments on these multiple defenses.


Accordingly, based on the reasons above and with the consent of Defendants' counsel, Plaintiffs respectfully request the Court to grant the above-mentioned one-page enlargement.

Respectfully submitted,

  
Ronald M. Daignault

cc: Raymond N. Nimrod, Esq.  
Kristopher R. Kiel, Esq.  
James A. Mitchell, Esq. (by fax)

Application granted  
SO ORDERED:

  
WILLIAM H. PAULEY III U.S.D.J.  
November 17, 2006

## FAX TRANSMITTAL

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Date: November 16, 2006

To: Hon. William H. Pauley III  
  
United States District Court  
Southern District of New York  
500 Pearl Street - Chambers 2210  
New York, NY 10007

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From: Ronald M. Daignault  
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**URGENT!!! PLEASE SEE ATTACHED.**

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